

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO

NO. 17-BK-3283 (LTS)

As representative of

PROMESA TITLE III

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.

**MOTION REQUESTING RELIEF OF STAY UNDER 362 (D)(1) OF THE
BANKRUPTCY CODE**

To the Honorable United States District Court Judge Laura Taylor Swain:

NOW COME plaintiffs' certified class IN CASE 02-1179 (GAG) Gladys García Rubiera, et al. v. Hon. Luis G. Fortuño, et al; and Gladys García Rubiera, et al, v. Asociación de Suscripción Conjunta, et al, Civil Number K DP2001-1441 (801) and respectfully pray the Honorable Court to lift the stay granted pursuant PROMESA's Section 4,7 and 301 (c)(3), 304 (h) and allow plaintiffs' class to enforce the stipulation and judgement in the above mentioned cases on the grounds that there is cause under Section 362 (d)(1) of the Bankruptcy Code as determinatively the funds subject to the litigation do not involve property of the Commonwealth of Puerto Rico and plaintiffs' class would be unjustly and permanently harmed by the continuance of the stay.

A Memorandum in support of this Motion is herein included. Also included is a proposed Order.

RESPECTFULLY SUBMITTED

CERTIFICATION

In compliance with Paragraph III.Q of the Third Amended Case Management Procedures order (ECF No. 1512, Ex. 1), we certify that on December 21st, 2017 we sent to Counsel for the Oversight Board and AAFAF a notice advising them of the class intention to seek relief from the Title III automatic stay. No agreement was reached to lift or modify the stay with respect to the class request for lifting the stay.

CERTIFICATE OF SERVICE

I hereby certify that, on February 7th, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and parties in the Master Service List.

The foregoing is also being e-mailed separately to Claudia A. Juan García at cjuan@justicia.pr.gov; Hermman Bauer at hermann.bauer@oneillborges.com; Ubaldo Fernández at ubaldo.fernandez@oneillborges.com and Andres W. López at andres@awllaw.com.

In San Juan, Puerto Rico, 7th of February 2018.

s/ Antonio J. Amadeo Murga
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